



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,244	05/10/2001	Gordon Good	033048-058	4076

21839 7590 04/29/2005

BURNS DOANE SWECKER & MATHIS L L P  
POST OFFICE BOX 1404  
ALEXANDRIA, VA 22313-1404

EXAMINER
----------

CALLAHAN, PAUL E

ART UNIT	PAPER NUMBER
----------	--------------

2137

DATE MAILED: 04/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/852,244

Applicant(s)

GOOD, GORDON

Examiner

Paul Callahan

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 28 January 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. Claims 1-13 were pending in this application at the time of the previous Office Action. New Claims 14-36 have been added via the latest amendment. Therefore claims 1-36 are now pending and have been examined.

### ***Response to Arguments***

3. Applicant's arguments filed 1-28-2005 have been fully considered but they are not persuasive.

The applicant argues that the claimed invention in claim 1 may be distinguished from the teachings of Rothermel '827 because the reference does not teach the features of expansion of a template via provision of an XML document that contains a list of users explicitly identified in the template but also users external to the template as well. Yet these are features that are not found in claim 1. The Rothermel reference teaches expansion of a template and providing expanded information to a plurality of computing devices claimed in claim 1 at the passages cited.

The applicant argues that the Rothermel reference does not teach the inclusion of conditional statements in the template. Yet such is found in the cited passage (col. 4 lines 30-62, col. 5 lines 60-67) and additionally in fig. 3B item 301 where a conditional access statement is shown.

The applicant argues that the instant invention may be distinguished from the Rothermel reference since the claimed invention is directed towards access restrictions

of a user to a particular device and therefore is distinguishable from the Rothermel reference which, the applicant contends, is directed towards firewalls. Firstly, assuming arguendo that the applicant is correct, the widespread use of personal firewalls at the time of the invention obviates this argument. Secondly, the applicant's attention is called now to Rothermel at, for example, fig. 5C where individualized user access is taught.

The applicant argues that the Rothermel reference does not teach different classes of security templates. Yet such is indeed taught, as a reasonably broad interpretation of the term classes would include, at col. 7 lines 25-30 where the templates are taught as customizable for different NSD's. Since col. 6 teaches different classes of NSD's, it follows that the templates are themselves of different class types.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-36 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Rothermel et al., US 6,678,827.

Claims 1-6 and 8-12 have not been changed via the latest amendment, therefore no changes to the rejections have been necessitated. The rejections of claims 1-6 and

Art Unit: 2137

8-13 will not be repeated herein, but instead are incorporated herein in their entirety by reference to the previous Office Action in the case.

As for claims 7 and 13, Rothermel teaches the method of claim 1, wherein said policies are security policies regarding user access to each of the plurality of computing devices. (col. 11 lines 1-45)

As for claim 14, Rothermel teaches the system of claim 8, wherein at least one template includes a reference to information external to the template, and wherein said communication gateway expands the template by creating a document that includes information contained in the template and said external information. (fig. 3B items 30, 311, 316).

As for claims 15 and 19, Rothermel teaches the system of claim 14 wherein said document is an XML document (col. 5 lines 5-7).

As for claim 16, Rothermel teaches the system of claim 14 wherein said external information comprises a list of users (col. 11 lines 18-30).

As for claim 17, Rothermel teaches the system of claim 9 wherein said communications gateway expands a template to include information contained in a

Art Unit: 2137

conditional statement only if the computing device to which said expanded information is to be provided meets the condition (col. 11 lines 35-40).

As for claim 18, Rothermel teaches the method of claim 1, wherein at least one template includes a reference to information external to the template, and wherein said expanding step comprises creating a document that includes information contained in the template and said external information (col. 11 lines 18-30).

As for claim 20, Rothermel teaches the method of claim 18, wherein said external information comprises a list of users (col. 11 lines 18-30).

As for claim 21, Rothermel teaches the method of claim 3, wherein said expanding step includes the step of including information contained in a conditional statement only if the computing device to which said expanded information is to be provided meets the condition (col. 11 lines 18-30).

As for claims 22-36, the claims are directed to the same method as found in claims 1-21 in slightly reworded form. Therefore these claims are rejected on the same basis as are claims 1-21.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following US Patent document teaches features pertinent to the claimed invention:

Boivie            6,502,140

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2137

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul E. Callahan whose telephone number is (571) 272-3869. The examiner can normally be reached on M-F from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Andrew Caldwell, can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is: (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

4-22-2005



**ANDREW CALDWELL  
SUPERVISORY PATENT EXAMINER**